

NOT TO BE INCLUDED
IN BOUND VOLUMES

PHMc
Washington, DC

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

QUALITY INVESTIGATION, INC. D/B/A QI SECURITY
Employer

and

Case 05-RC-144753

NATIONAL ALLIANCE OF LAW ENFORCEMENT
OFFICERS (NALEO)
Petitioner

and

INTERNATIONAL UNION, SECURITY, POLICE AND
FIRE PROFESSIONALS OF AMERICA (SPFPA)
Intervenor 1

and

UNITED SECURITY AND POLICE OFFICERS OF AMERICA
(USPOA)
Intervenor 2

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered objections to a mail ballot election held between March 2 and March 16, 2015, and the Regional Director's corrected supplemental report recommending disposition of them.¹ The election was conducted

¹ On April 3, 2015, the Regional Director issued a report recommending overruling USPOA's objections because no evidence was submitted in support the objections. On exception, USPOA contended that it had electronically filed its evidence in support of its objections, and filed with its exceptions a copy of the evidence it claimed it previously submitted. On April 27, 2015, the Regional Director issued a supplemental report considering the evidence submitted along with USPOA's exceptions and, finding the evidence was relevant only to Objection 2, overruled that objection on the merits and reaffirmed that Objections 1 and 3 were overruled due to the absence of any supporting evidence. On September 3, 2015, the Regional Director issued a corrected

pursuant to a Stipulated Election Agreement. The tally of ballots shows 18 for the Petitioner (“NALEO”), 8 for Intervenor 1 (“SPFPA”), 3 for Intervenor 2 (“USPOA”), and none against representation. There were no challenged ballots.

The Board has reviewed the record in light of the exceptions and briefs, has adopted the Regional Director’s findings² and recommendations,³ and finds that a certification of representative should be issued.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for National Alliance of Law Enforcement Officers (NALEO) and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time protective service officers employed by the Employer at the United States Federal Aviation Administration (800 Independence Avenue, S.W., Washington, D.C. 20024 and 600 Independence Avenue, S.W., Washington, D.C. 20597) and the United States Department of Transportation (1200 New Jersey Avenue, S.E., Washington, D.C. 20597), but excluding all other employees, professional employees, managerial employees, and supervisors as defined in the Act.

Dated, Washington, D.C., November 25, 2015.

Mark Gaston Pearce, Chairman

supplemental report noting that the previously issued supplemental report contained incorrect appeal language.

² On exception to the corrected supplemental report, USPOA contends that the Board should consider new evidence submitted in support of its Objection 1, which alleges that ballots were not issued to all eligible voters. The new evidence consists of a document, purportedly signed by 17 employees on September 15 and 16, stating that these employees never received mail ballots or any other information about the election, and therefore could not participate in the election. USPOA does not dispute the Regional Director’s finding that it previously failed to submit any evidence in support of this objection, and it has not provided any explanation for the untimely submission of evidence. Accordingly, consideration of this evidence is not warranted.

³ In the absence of exceptions, we adopt pro forma the Regional Director’s recommendations to overrule USPOA’s Objections 2 and 3.

Kent Y. Hirozawa, Member

Lauren McFerran, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD